

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

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From: Andrew O. Kaplan, Hearing Officer

Date: December 10, 2001

Re: Investigation into the Service Quality of Boston Edison Company, Cambridge Electric Light Company, and Commonwealth Electric Company d/b/a NSTAR Electric D.T.E. 01-71-A

cc: James Connelly, Chairman
W. Robert Keating, Commissioner
Paul B. Vasington, Commissioner
Eugene J. Sullivan, Jr., Commissioner
Deirdre K. Manning, Commissioner
Paul G. Afonso, General Counsel

**HEARING OFFICER'S RULING
on
PETITIONS TO INTERVENE**

The Department of Telecommunications and Energy ("Department") has received petitions to intervene in the above-referenced matter from the following entities:

Commonwealth of Massachusetts Division of Energy Resources ("DOER");
The Utility Workers Union of America ("UWUA"); and
The Cape Light Compact ("Cape Light").

Additionally, the Attorney General filed his Notice of Intervention pursuant to G.L. c. 12, §11E.

After review, I find that DOER and UWUA have submitted petitions to intervene that comply with the Department's regulations. 220, C.M.R. §1.03. Thus, DOER and UWUA

will be afforded intervention status in this docket.

Cape Light failed to meet the regulatory mandates stated in 220 C.M.R.

§ 1.03. First, Cape Light did not state 'good cause' for filing its petition to intervene after the established deadline. Second, Cape Light failed to establish how it would be substantially and specifically affected by the outcome of the proceeding. Thus, the petition to intervene submitted to the Department by Cape Light is denied. Nonetheless, in accordance with the discretion afforded the presiding officer, Cape Light shall be allowed to make a limited appearance in this matter for the purpose of making a written statement on the issues in this docket. See 220 C.M.R. § 1.03 (1)(e). The Hearing Officer notes that the allowance of a limited appearance in this matter shall not be deemed to constitute an expression by the Department that Cape Light is a party in interest in this proceeding. Id.

This Hearing Officer Ruling may be appealed in writing to the Commission. Any appeal shall be submitted to the Department c/o Mary L. Cottrell, Secretary, One South Station, Boston, MA 02110, and filed no later than 5:00 p.m. on December 12, 2001. A copy of the Appeal must be served upon the Hearing Officer.